

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-04-0280 FCD KJN P

vs.

MARCO ANTONIO VARGAS,

ORDER and

Movant.

ORDER TO SHOW CAUSE

On February 17, 2010, this court directed respondent to file, within thirty days of the effective date of that order, a response to petitioner's amended petition filed pursuant to 28 U.S.C. § 2255. Dkt. No. 72. The order was served electronically upon respondent on the same date. Thus, the response was due on or before March 22, 2010. See Fed. R. Civ. P. 6(d), 5(b)(2)(E) (additional three days for service). Respondent has neither filed a response nor otherwise communicated with the court.

Accordingly, IT IS HEREBY ORDERED that within fourteen (14) days of the filing date of this order, respondent shall: (1) show cause in writing why he has failed timely to file a response in this action, and (2) file a response which includes any and all transcripts or other documents relevant to the determination of the issues presented in petitioner's motion.

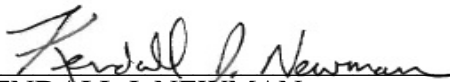
Petitioner's traverse, if any, shall remain due no later than thirty days after the

1 response is filed.

2 The Clerk of Court is directed to serve a copy of this order on the United States
3 Attorney or his authorized representative.

4 SO ORDERED.

5 DATED: April 1, 2010

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9 KENDALL J. NEWMAN
10 UNITED STATES MAGISTRATE JUDGE

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